

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.¹

PROMESA

Title III

No. 17 BK 3283-LTS
(Jointly Administered)

**URGENT *AGREED* MOTION TO EXTEND BRIEFING SCHEDULE
FOR AMBAC’S URGENT MOTION TO COMPEL (ECF NO. 16487)**

To the Chamber of the Honorable Magistrate Judge Judith Dein:

Ambac Assurance Corporation, by and with the agreement of Milliman, Inc., respectfully submits this urgent motion for entry of an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the deadlines set forth in the *Order Setting Briefing Schedule* [ECF No. 16512] (the “Scheduling Order”).

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (“Commonwealth”) (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523- LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Request for Relief

1. On April 20, 2021, Ambac filed its Urgent Motion to Compel Milliman, Inc. to Comply with Subpoena Issued Pursuant to the Court's January 13, 20 Order Authorizing Rule 2004 Discovery [ECF No. 16487] ("Motion to Compel").

2. On April 21, 2021, Ambac served Milliman with a copy of the Motion to Compel.

3. On April 21, 2021, the Court entered its Order Setting Briefing Schedule [ECF No. 16512] setting the following deadlines for the Motion to Compel:

a. Any responses are to be filed May 4, 2021; and

b. Any reply shall be filed May 11, 2021.

[ECF No. 16512 at 1].

4. Milliman has indicated that it would be prejudiced as Milliman has not previously appeared in these proceedings and is in the process of locating and engaging local counsel that is not already engaged in these proceedings.

5. Ambac and Milliman have agreed to a one-week extension to provide Milliman time to engage local counsel, such that Milliman's response would be due May 11, 2021 and Ambac's reply would be due May 25, 2021.

6. No party to the proceedings would be prejudiced by this schedule extension.

WHEREFORE, Ambac, with the agreement of Milliman, respectfully requests that the deadlines for the response to the Motion to Compel be extended as follows, and the proposed order attached hereto as Exhibit A be entered:

a. Any responses are to be filed May 11, 2021; and

b. Any reply shall be filed May 25, 2021.

Notice

7. Ambac has provided notice of this motion in accordance with the Case Management Procedures to the following parties: (a) the Office of the United States Trustee for the District of Puerto Rico; (b) the indenture trustees and/or agents, as applicable, for the Debtors' bonds; (c) the entities on the list of creditors holding the 20 largest unsecured claims against COFINA; (d) counsel to the statutory committees appointed in these Title III cases; (e) the Office of the United States Attorney for the District of Puerto Rico; (f) counsel to the Oversight Board; (g) the Puerto Rico Department of Justice; (h) the Other Interested Parties;¹ (i) all parties filing a notice of appearance in these Title III cases; and (j) Milliman.

8. Ambac submits that, in light of the nature of the relief requested, no other or further notice need be given.

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¹ The "Other Interested Parties" include the following: (i) counsel to certain of the insurers and trustees of the bonds issued or guaranteed by the Debtors; and (ii) counsel to certain ad hoc groups of holders of bonds issued or guaranteed by the Debtors.

Dated: April 30, 2021
San Juan, Puerto Rico

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CERTIFICATE OF SERVICE

I hereby certify that on this same date a true and exact copy of this notice was filed with the Clerk of Court using the CM/ECF system, which will notify a copy to counsel of record.

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